



Dear Sir

ITW

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OFFICE OF PETITIONS

I found this package to the
Central Office on May 18
and received confirmation at
10:16:45 PM.

Yours

Jamison

I appreciate your assistance in getting
this unfortunate situation resolved.

Fax Message

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OFFICE OF PETITIONS

Date: May 17, 2006

To: USPTO – PETITION TO DIRECTORS

From: Bill Jamieson

Message: REVIVING PATENT APPLICATION

Total pages including cover page: 21

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To the Directors:

In 2003, I submitted a patent application and was granted a file No as follows: 10/628,100. **OFFICE OF PETITIONS**

In due course, my application was reviewed and on September 12, 2005, I received a response stating that changes in my "Claims" were required. This amended application was due within three (3) months of the dated letter.

On December 5, 2005, I requested and received a telephone interview with Roland Bergeron and as result of this interview, I immediately amended my application and forwarded it to your office on December 7, 2006. I have attached fax confirmations of both of these transactions.

On April 28, 2006, I received notification that my application was being abandoned due to non-receipt of the amended application within the stipulated time lines. However, I do have documentation stating very clearly that my amended application was received at the Patent Office on December 7, 2005 at 1:43 pm.

I'm sure that there was some form of confusion given that Mr. Bergeron left the Patent Office during that same time period and during this period, my application landed in the wrong pile.

As a result, I believe that I did comply with the stated time lines and request that my application be revived and entered back into the process of being examined by the appropriate personnel. In addition, I have not included any petition fee with this notice as I believe that this does not qualify under the three types of petitions listed on the website.

Please inform me of your decision that I might continue to work diligently on other projects.

Yours truly,



William Maurice Jamieson

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Auto-Reply Facsimile Transmission

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TO:

Fax Sender at 4162479124

Fax information

Date Received:

12/1/2005 9:15:35 AM [Eastern Standard Time]

Total Pages:

1 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover
Page

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FROM :

FAX NO. 4162479124

Dec. 01 2005 09:15AM P1

Dec 1/05

TO: ROLAND BERGERON

FROM: BILL JAMIESON

RE: 10/628,100

MY PHONE/FAX: 416-247-9124

MESSAGE:

Requesting interview re patent
application. Any day other than
Dec 6/05

Thanks.
Bill Jamieson

Auto-Reply Facsimile Transmission



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TO:

Fax Sender at 4162479124

Fax Information

Date Received:

5/15/2006 9:12:34 PM [Eastern Daylight Time]

Total Pages:

17 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

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Page

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FROM :	FAX NO. 4162479124	May 15 2006 09:13PM P1
Fax Message		
Date:	May 15, 2006	
To:	USPTO	
From:	Bill Jamieson	
Message:	Resubmission of amendment from 12/7/2005	
Total pages including cover page:	14 <u>16</u>	

PAGE 147 * RCVD AT 5/15/2006 9:12:34 PM [Eastern Daylight Time] * FROM: USPTO FAX# 4162479124 * TO: 4162479124 * DURATION 7m44s * 07-43

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Fax Message

Date: May 15, 2006

To: USPTO

From: Bill Jamieson

Message: Resubmission of amendment from 12/7/2005

Total pages including cover page: 14

16

Date: May 15, 2006

To: Jessica Laux

From: William Maurice Jamieson

Re: Application No.: 10/628,100

Art Unit: 3635

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OFFICE OF PETITIONS

Message:

I recently received notification that my application for a patent was abandoned for failing to respond to the Office letter dated September 12, 2005 within the three (3) month response period.

I had a telephone interview with Roland Bergeron and immediately sent my amendment to your office. I received a fax confirmation on 12/7/2005 at 1:43 pm EST that my amended application did in fact arrive at your office prior to the expiration of the three (3) month response period. My amended response to your letter consisted of a total of twelve (12) pages including the cover page.

Your letter comes as a total shock to me as I was expecting the patent to be granted as opposed to being abandoned. I would like an explanation for this and also request information as to how I should proceed. I am enclosing a second copy of my amended application and expect some feedback regarding same.

I hope you can appreciate how this is impacting me at this point. Please keep me informed as to the status of my application.

Yours truly,

A handwritten signature in black ink, reading "William Maurice Jamieson". The signature is written in a cursive style with a large, stylized "W" and "J".

William Maurice Jamieson

Auto-Reply Facsimile Transmission

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TO:

Fax Sender at 4162479124

Fax Information

Date Received:

Total Pages:

12/7/2005 1:00:43 PM [Eastern Standard Time]

12 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
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Page

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FROM :

FAX NO. 4162479124

Date: 37 2005 01:04PM P1

FAX MESSAGE

Date: December 7, 2005

To: USPTO

From: Bill Jamieson

Message: Amendment to Application No. 10/629,100 enclosed

Total Pages including Cover Page: 12

FAX MESSAGE

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OFFICE OF PETITIONS

Date: December 7, 2005
To: USPTO
From: Bill Jamieson
Message: Amendment to Application No. 10/628,100 enclosed

Total Pages Including Cover Page: 12

JUN 01 2006

OFFICE OF PETITIONS

Notice of Abandonment

Application No.

10/628,100

Applicant(s)

JAMIESON, WILLIAM
MAURICE

Examiner

Jessica Laux


Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12 September 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



 N. Slack
 Primary

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,100	07/28/2003	William Maurice Jamieson		4295

7590 04/28/2006
WILLIAM MAURICE JAMIESON
2 FOX POINT
TORONTO, ON M6M 382
CANADA

EXAMINER

LAUX, JESSICA L

ART UNIT PAPER NUMBER

3635

DATE MAILED: 04/28/2006

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OFFICE OF PETITIONS

Please find below and/or attached an Office communication concerning this application or proceeding.

PETITION INFORMATION SHEET

Reviving an Abandoned Trademark Application

A trademark application is considered "abandoned" when the United States Patent and Trademark Office (USPTO) does not receive one of the following timely filed documents: (1) a response to an examining attorney's Office action; or (2) a statement of use (SOU) or request for an extension of time to file a statement of use (extension request), in response to a notice of allowance (NOA). 37 C.F.R. §2.65. "Abandoned" means that the application is no longer pending and thus cannot mature into a registration. You may submit a petition to revive an abandoned application and request that the application be returned to active or pending status if the delay in responding to the Office action, or the delay in filing an SOU or extension request, was unintentional. 37 C.F.R. §2.66.

Deadline for Filing a Petition to Revive

If you received the notice of abandonment, then you must file the petition no later than 2 months from the mailing date of that notice.

If you did not receive the notice of abandonment, then the deadline for filing the petition is 2 months from the date you learned of the abandonment, rather than two months from the mailing date of the notice of abandonment. However, this more lenient deadline will apply only if you were diligent in prosecuting the application. To be considered diligent, you must have checked the status of the application every 6 months since the filing date of the application. 37 C.F.R. §§2.66(a)(2) and 2.146(i).

These deadlines are strictly enforced.

Sending Petition Papers

The filing date of a document in the USPTO is the date of receipt in the Office, not the date of deposit in the mail. 37 C.F.R. §2.195. However, a petition that is mailed to the USPTO before the expiration of the deadline discussed above will be considered to have been timely filed if (1) it is properly addressed and deposited with the U.S. Postal Service with postage sufficient for first class mail, and (2) the petition includes a certificate of mailing that identifies the date the petition was mailed, and the address to which it was mailed. 37 C.F.R. §2.197(a). You are encouraged to use a certificate of mailing (see sample below) to ensure the timeliness of the petition. Please keep a photocopy of the petition and the signed certificate. If the petition is filed and then lost, a photocopy of the petition and the certificate of mailing may help to establish that the petition was timely filed. The following is a sample certificate of mailing:

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on the date shown below:

Signature

Print Name of Signatory

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USPTO
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia
22313-1450

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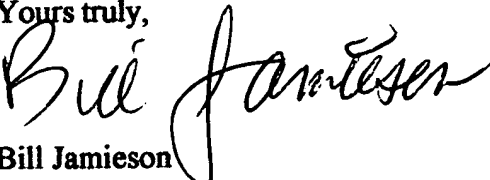
Dear Mr. Bergeron:

RE: Amended Application No.: 10/628,100; Art Unit 3635

In response to your letter dated 050919, I am submitting an amendment to Application No.: 10/628,100. This entails "deletion" of the ABSTRACT and CLAIM from the original application and the "insertion" of a new abstract and new claims. I believe the new claims fall into the category of three or less claims because they are interdependent.

For record purposes, your examination also included a reference to document No. US-4,742,662A by Smith.

Yours truly,

A handwritten signature in cursive script that reads "Bill Jamieson". The signature is written in black ink and is positioned to the right of the typed name "Bill Jamieson".

Bill Jamieson

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ABSTRACT

A ceiling trim system where a top channel is secured to a support surface between separately secured blocks and a slightly wider finished bottom channel is secured to the smaller top channel by a locking step. The top channel consisting of a base and two flexible projections is anchored to a support surface by the base. The projections have a right-angled triangular tip. The slightly bigger bottom finished channel has a base and two rigid interior projections forming a quadrangular shape at the interior tip of each projection. This rectangle is slightly smaller than the voided portion between the biased triangular projection and the base from channel one. With the projections facing each other, channel two is placed over top of channel one and locks into position to form a single unit.

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CLAIMS

The embodiments of the invention in which exclusive property or privilege is claimed are defined as follows:

1. A molded ceiling system of predetermined width comprising: a series of blocks strategically placed on a predetermined grid fastened to a supporting surface through a counter bored hole; an elongated inverted top channel consisting of a base and two flexible projections extending from that base, fastened to a supporting surface between said blocks; an elongated finished bottom channel that is wider than the top channel, consisting of a base and two rigid projections extending from that base, extending towards the top channel and supported by the top channel by a locking step.
2. The system of claim 1, wherein: a series of four-sided blocks with a center hole penetrating the top surface are mounted to a supporting surface in predetermined locations.
3. The system of claim 1 wherein: the top channel is narrower than the bottom channel.

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4. The system of claim 3 wherein: the top channel has a base with two flexible projections extending away from said base and the base being fastened to a supporting surface between two blocks.
5. The system of claim 4 wherein: each flexible projection continues for a distance and forms a bias away from the end of said projection to the outside of the projection and back towards the base.
6. The system of claim 5 wherein: the bias angles continue for a distance and turns inwards towards the side of the projection to form a right-angled triangle.
7. The system of claim 6 wherein: the right-angled triangle is smaller than the full length of the flexible projection.
8. The system of claim 1 wherein: the bottom channel is wider than the top channel.
9. The system of claim 8 wherein: the bottom channel has a base and two rigid projections extending inwards from said base.
10. The system of claim 9 wherein: each rigid projection continues for a short distance from the end of said projection to the inside of the projection and parallel to the base.
11. The system of claim 10 wherein: the projection continues for a short distance towards the base and parallel to the side of the rigid projection.

12. The system of claim 11 wherein: the projection turns outwards parallel to the base and perpendicular to the projections for a short distance to form a quadrangle.
13. The system of claim 12 wherein: the height of the quadrangle is slightly less than the void created by the gap between the base of the right-angled triangle from the top channel and the plane of the base of the top channel as stated in claims 6 and 7.
14. The system of claim 13 wherein: the bottom channel as stated in claim 8 is placed over the top channel as stated in claim 3 whereby the flexible projections of the top channel compress to allow the rigid projections of the bottom channel to receive same.
15. The system of claim 14 wherein: the locking step is formed by the insertion of the flexible right-angled projections from the top channel into the rigid projections of the bottom channel.

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DELETE

-12-

CLAIMS

("What I claim as my invention is a locking step that allows decorative moldings to fit together without the use of tools.

The locking step allows two pieces to fit together to form a unit.

The locking step is on the inside of the channel cover and does not impact the design of the exterior.

The locking step removes the need for materials and tools to assemble a beam portion of a grid system.")

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ABSTRACT OF THE DISCLOSURE

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("In this invention, a grid is marked on the supporting surface with a chalk line. Decorator blocks are fastened to the supporting surface at strategic locations on the grid to act as corners and transition points between sections of the wall or ceiling grid. The largest surface of these decorator blocks has a recess or counterbore in the center that allows fastening to a supporting surface by means of a fastening device. For design purposes, this counterbore can be covered with a decorative medallion. Once mounted into position, these blocks can be adjusted to fit precisely into position at the desired points of intersection on the grid. A main track channel of extended length and flexible sides is anchored to a supporting surface and butting to the decorator blocks. The flexible sides

of the channel are tapered at the end and when conjoined with the track channel cover, form a locking step. The track channel is also designed to act as a conduit for transporting electrical wires or cable. The result is a decorative grid molding system that can be installed with a minimum of effort and is customized to the individual project.")

NEW

-2-

ABSTRACT

A ceiling trim system where a top channel is secured to a support surface between separately secured blocks and a slightly wider finished bottom channel is secured to the smaller top channel by a locking step. The top channel consisting of a base and two flexible projections is anchored to a support surface by the base. The projections have a right-angled triangular tip. The slightly bigger bottom finished channel has a base and two rigid interior projections forming a quadrangular shape at the interior tip of each projection. This rectangle is slightly smaller than the voided portion between the biased triangular projection and the base from channel one. With the projections facing each other, channel two is placed over top of channel one and locks into position to form a single unit.

NEW

-14-

INSERT NEW CLAIMS 1-15

The embodiments of the invention in which exclusive property or privilege is claimed are defined as follows:

1. A molded ceiling system of predetermined width comprising: a series of blocks strategically placed on a predetermined grid fastened to a supporting surface through a counter bored hole; an elongated inverted top channel consisting of a base and two flexible projections extending from that base, fastened to a supporting surface between said blocks; an elongated finished bottom channel that is wider than the top channel, consisting of a base and two rigid projections extending from that base, extending towards the top channel and supported by the top channel by a locking step.
2. The system of claim 1, wherein: a series of four-sided blocks with a center hole penetrating the top surface are mounted to a supporting surface in predetermined locations.
3. The system of claim 1 wherein: the top channel is narrower than the bottom channel.

NEW

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-15-

4. The system of claim 3 wherein: the top channel has a base with two flexible projections extending away from said base and the base being fastened to a supporting surface between two blocks.
5. The system of claim 4 wherein: each flexible projection continues for a distance and forms a bias away from the end of said projection to the outside of the projection and back towards the base.
6. The system of claim 5 wherein: the bias angles continue for a distance and turns inwards towards the side of the projection to form a right-angled triangle.
7. The system of claim 6 wherein: the right-angled triangle is smaller than the full length of the flexible projection.
8. The system of claim 1 wherein: the bottom channel is wider than the top channel.
9. The system of claim 8 wherein: the bottom channel has a base and two rigid projections extending inwards from said base.
10. The system of claim 9 wherein: each rigid projection continues for a short distance from the end of said projection to the inside of the projection and parallel to the base.
11. The system of claim 10 wherein: the projection continues for a short distance towards the base and parallel to the side of the rigid projection.

NEW

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12. The system of claim 11 wherein: the projection turns outwards parallel to the base and perpendicular to the projections for a short distance to form a quadrangle.
13. The system of claim 12 wherein: the height of the quadrangle is slightly less than the void created by the gap between the base of the right-angled triangle from the top channel and the plane of the base of the top channel as stated in claims 6 and 7.
14. The system of claim 13 wherein: the bottom channel as stated in claim 8 is placed over the top channel as stated in claim 3 whereby the flexible projections of the top channel compress to allow the rigid projections of the bottom channel to receive same.
15. The system of claim 14 wherein: the locking step is formed by the insertion of the flexible right-angled projections from the top channel into the rigid projections of the bottom channel.